

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

TAL PRIHAR,

Defendant.

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Criminal No. 19-115-DWA  
ELECTRONICALLY FILED

**MOTION TO CONDUCT SENTENCING HEARING BY VIDEOCONFERENCE**

Defendant, through his Counsel, files the within Motion to Conduct Sentencing Hearing By Videoconference and respectfully states as follows:

1. Defendant's Sentencing Hearing is currently scheduled for December 2, 2021, at 11:30 a.m.
2. Defendant has been advised of and understands his right to be physically present at his Sentencing Hearing and he is aware of this Court's Orders suspending and limiting certain court appearances due to the COVID-19 crisis; and he therefore requests his Sentencing Hearing be conducted via video pursuant to, and consistent with, the provisions contained in the CARES Act Administrative Order entered in this District on March 30, 2020 at No. 2:20-mc-466-MRH, and extended since that time in subsequent orders. *See also*, Misc. No. 2:20-mc-394-MRH.
3. Under these circumstances, Defendant hereby waives his right to be physically present at his Sentencing Hearing and requests leave to participate in this hearing, along with his counsel, via videoconference so that it might be expeditiously concluded.

4. Counsel has discussed this matter with Defendant, who has given his consent to conduct the Sentencing Hearing by videoconference, and Assistant United States Attorney Jessica Lieber Smolar does not oppose this request.

5. The Defendant and his counsel represent that the sentencing in this case cannot be further delayed without serious harm to the interests of justice. Specifically, delay of the sentencing harms the interests of justice by delaying the execution of core terms of the plea agreement between Mr. Prihar and the United States.

6. Justice so requires that the Sentencing Hearing proceed in this matter in the format requested above.

WHEREFORE, the Defendant respectfully requests that this Honorable Court enter the attached Proposed Order permitting the Sentencing Hearing to be conducted via videoconference pursuant to Chief Judge Hornak's CARES Act Administrative Order entered at Misc. No. 2:20-mc-466-MRH for the reasons set forth in this Motion. *See also*, Misc. No. 2:20-mc-394-MRH.

Dated: December 16, 2021

Respectfully Submitted,



S. Wesley Gorman  
PA ID No. 325565  
Michael A. Comber  
PA ID No. 81951  
Reisinger Comber & Miller, LLC  
436 Seventh Avenue  
Pittsburgh, PA 15219-1827  
(412) 894-1380  
wgorman@reisingercomber.com

Dated: December 16, 2021

cc: All ECF Registered Counsel of Record